

**PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA**

**HEARING OFFICER DIRECTIVE**

**DOCKET NO. 2019-281-S ORDER NO. 2020-63-H**

**JULY 1, 2020**

**Hearing Officer: David Butler**

**DOCKET DESCRIPTION:**

**Application of Palmetto Utilities, Incorporated for Adjustment (Increase) of Rates and Charges, Terms and Conditions, for Sewer Service Provided to Customers in Its Richland and Kershaw County Service Areas**

**MATTER UNDER CONSIDERATION:**

**Filing of Additional Pre-Filed Testimony by Palmetto Utilities, Incorporated and/or Other Testimony/Documents by Intervenor Lisa Levine on the Issue of What These Parties Might Accept by Way of Settlement**

**HEARING OFFICER'S ACTION:**

**This Hearing Officer Directive addresses two issues in the present case: 1) the request to file additional testimony by Palmetto Utilities, Incorporated ("Palmetto," "PUI," or "the utility") "on what it would accept in this rate case;" and 2) the request by Intervenor Lisa Levine to file additional testimony/documents on the same subject matter.**

**First, as a part of its original Motion for Continuance of the Hearing and Leave to Prefile Limited Additional Testimony, the utility requested that it be allowed to additional testimony related to "what PUI would accept in this rate case." PUI asserts that the Office of Regulatory Staff ("the Agency" or "ORS") already stated what it would accept in, for example, the surrebuttal testimony of ORS witness Dawn Hipp. The utility states essentially that it would like to have the opportunity to file similar testimony.**

**ORS does not object to the filing of this limited testimony by the utility, although the Agency disagrees with PUI's original characterization of ORS testimony. ORS notes that such information from the utility could be beneficial in this circumstance, where the Commission is considering an unusual set of facts. The utility replied to the ORS Response. No party has objected to the utility's proposal. Accordingly, Palmetto's Motion for Leave to Prefile additional Limited Testimony is granted. Palmetto's testimony must be limited to the subject of "what it would accept in this rate case," as stated by the utility in its original proposal. Said testimony (and exhibits, if necessary) must be filed with the Commission and served on the parties on or before the close of business on July 8, 2020. Since the additional testimony is limited, I will not set a date for the prefilings of responsive testimony. However, if any of the other parties believe such responsive testimony is somehow appropriate, such parties may file an appropriate motion accordingly.**

Second, Ms. Lisa Levine, Intervenor, also filed a request to file a limited document on the same limited subject as Palmetto described. No party has filed any objections to Ms. Levine's proposal. Accordingly, Ms. Levine's request is also granted. I would note, however, that Palmetto reserved its right to object to Ms. Levine's document, although the utility says that it was not saying that it will object. Ms. Levine then stated that if indeed the utility was going to object, that she would not file a document. She noted that she did not intend to file testimony. In any event, considering all of this discussion, Ms. Levine may file a document limited to what she would accept in the rate case if she wants to do so. If Ms. Levine desires to file the document, it must also be filed with the Commission and served on the parties on or before the close of business on July 8, 2020. Again, the Hearing Officer is not setting a date for responses to any document that Ms. Levine may file. However, if Ms. Levine does file, and the parties believe a response is needed, said parties may make an appropriate motion. I would note that I cannot limit Palmetto's right to object to any document that Ms. Levine might file. In sum, then, Ms. Levine may file a limited document if she chooses to do so, but she is certainly not required to do so. This ends the Hearing Officer's Directive.